

**MINUTES  
LANCASTER COUNTY BOARD OF COMMISSIONERS  
TUESDAY, MAY 10, 2005  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

Commissioners Present: Larry Hudkins, Chair  
Deb Schorr, Vice Chair  
Bernie Heier  
Ray Stevens  
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer  
Trish Owen, Chief Deputy County Clerk  
Mike Thew, Deputy County Attorney  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, May 3, 2005.**

**MOTION:** Heier moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated May 3, 2005. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

- 2) **CLAIMS FOR REVIEW:**

**A. Families First and Foremost - Payment voucher, dated April 5, 2005, payable to Hy-Vee Food Stores, Inc., in the amount of \$108.85, for floral products purchased for a farewell reception for Sheryl Schrepf.**

**MOTION:** Heier moved and Stevens seconded denial of a payment voucher, dated April 5, 2005, payable to Hy-Vee Food Stores, Inc., in the amount of \$108.85, for floral products purchased for a farewell reception for Sheryl Schrepf. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

- 3) **CLAIMS:** Approval of all claims processed through Tuesday, May 10, 2005.

**MOTION:** Workman moved and Stevens seconded approval of all claims processed through May 10, 2005. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

- 4) **PUBLIC HEARINGS:**

A. Continuation of a public hearing regarding an application for Corporate Manager from Kim McKay and an application for a Class I (Bottle Club) liquor license for SKM Enterprises, Inc. d/b/a Castaways Bar & Grill on Branched Oak, located at 10005 West Davey Road, Raymond, Lancaster County, Nebraska.

The Chair reconvened the public hearing.

Heier inquired about the fee.

Trish Owen, Chief Deputy County Clerk, indicated the Clerk's Office visited with the Liquor Control Commission. She stated the McKay's would not be eligible for prorating, however, they would fall into the new fee structure.

The Chair asked if anyone wished to testify.

No one appeared and the hearing was closed.

B. County Special Permit 04070, Whitetail Run Community Unit Plan, requested by Brian D. Carstens and Associates on behalf of Full House, L.L.C., for nine residential acreage units, with associated waiver requests, on property generally located northwest of the intersection of Southwest 14<sup>th</sup> Street and West Bennet Road in Lancaster County, Nebraska.

C. County Preliminary Plat 04032, Whitetail Run, requested by Brian D. Carstens and Associates on behalf of Full House, L.L.C., for nine residential acreage lots with associated waiver requests, on property generally located northwest of the intersection of Southwest 14<sup>th</sup> Street and West Bennet Road in Lancaster County, Nebraska.

4) **PUBLIC HEARINGS CONTINUED:**

The Chair opened the public hearings and asked if anyone wished to testify.

The Clerk administered the oath to Brian Carstens, appearing on behalf of the applicant.

Carstens gave a brief overview indicating that there are build-through provisions due to a split zoning jurisdiction between the County and City.

Heier asked why they would need build-through provisions if the development is built in the County's jurisdiction.

The Clerk administered the oath to Mike DeKalb, Planning Department.

DeKalb explained that when the boundaries of a project are in two different jurisdictions, the proposal must meet all requirements of both jurisdictions.

The Chair asked if anyone else wished to testify.

No one appeared and the hearings were closed.

5) **NEW BUSINESS:**

**A. A resolution in the matter of an application for Corporate Manager for Kim McKay and an application for a Class I (Bottle Club) liquor license for SKM Enterprises, Inc. d/b/a Castaways Bar & Grill on Branched Oak located at 10005 West Davey Road, Raymond, Lancaster County, Nebraska. (R-05-0056)**

**MOTION:** Stevens moved and Schorr seconded approval of Resolution 05-0056 in the matter of an application for Corporate Manager for Kim McKay and an application for a Class I (Bottle Club) liquor license for SKM Enterprises, Inc. d/b/a Castaways Bar & Grill on Branched Oak located at 10005 West Davey Road, Raymond, Lancaster County, Nebraska. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- B. A resolution in the matter of County Special Permit 04070, Whitetail Run Community Unit Plan, requested by Brian D. Carstens and Associates on behalf of Full House, L.L.C., for nine residential acreage units, with associated waiver requests, on property generally located northwest of the intersection of Southwest 14<sup>th</sup> Street and West Bennet Road in Lancaster County, Nebraska. (R-05-0054)**
- C. A resolution in the matter of County Preliminary Plat 04032, Whitetail Run, requested by Brian D. Carstens and Associations on behalf of Full House, L.L.C., for nine residential acreage lots on property generally located northwest of the intersection of Southwest 14<sup>th</sup> Street and West Bennet Road in Lancaster County, Nebraska. (R-05-0055)**

**MOTION:** Stevens moved and Schorr seconded approval of Resolution 05-0054 in the matter of County Special Permit 04070, Whitetail Run Community Unit Plan and approval of Resolution 05-0055 in the matter of County Preliminary Plat 04032, Whitetail Run. Schorr, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

- D. An application for a Special Events Permit from the Cheney School Association to hold a fund raiser for the school on Friday, May 13, 2005 between 5 p.m. and 8 p.m..**

Shelly Nassetti, Cheney School Association, appeared and stated the activities would take place on 2<sup>nd</sup> Street between Smith and Showers Streets.

In response to a question asked by Hudkins, Nassetti stated the fund raiser would be held between 5 p.m. to 8 p.m., however, they would like to begin setup at noon with clean up until 9 p.m..

**MOTION:** Schorr moved and Heier seconded approval of an application for a Special Events Permit from the Cheney School Association to hold a fund raiser for the school on Friday, May 13, 2005. Heier, Stevens, Schorr, Workman and Hudkins voted aye. Motion carried.

- E. An agreement with Intrepid America-Nebraska, Inc. for the health care staffing services at Lancaster County Corrections. Term of the agreement is from May 1, 2005 to April 30, 2006. The County will pay licensed practical nurses from \$28.79 per hour to \$32.80 per hour and registered nurses from \$43.82 to \$49.82 per hour. (C-05-0250)**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Heier moved and Workman seconded approval of an agreement with Intrepid America-Nebraska, Inc. for the health care staffing services at Lancaster County Corrections. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

**F. A cooperative agreement between the City of Lincoln, Lancaster County and the Lower Platte South Natural Resources District (NRD) for the purpose of restoring wetlands in Wilderness Park. The City and NRD will share in the cost to restore the wetlands. The County will not contribute any funds, rather joins the agreement for the sole purpose of approving the plan of development of the restoration of the wetlands, pursuant to an agreement between the County and City, dated August 4, 1966. (C-05-0255)**

**MOTION:** Heier moved and Stevens seconded approval of a cooperative agreement between the City of Lincoln, Lancaster County and the Lower Platte South Natural Resources District (NRD) for the purpose of restoring wetlands in Wilderness Park. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

**G. A confidentiality agreement and application to request access to Nebraska Health and Human Services System Information Technology (IT) Assets. The agreement provides the Child Support Division of the Lancaster County Attorney's Office access to the State NFOCUS system. The agreement includes a 30 day termination provision. (C-05-0256)**

**MOTION:** Stevens moved and Workman seconded approval of a confidentiality agreement and application to request access to Nebraska Health and Human Services System Information Technology (IT) Assets. Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

**H. Amendment No. 2 to the state of services and consulting services agreement with Oracle, formally known as PeopleSoft, executed by the County on August 10, 2004, under County Contract C-04-0387, for the implementation of PeopleSoft as the financial system for Lancaster County. Amendment No. 2 sets forth an additional consultation resource, Project Manager, for the period January 4, 2005 through February 4, 2005, at an hourly rate of \$180. (C-05-0251)**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Stevens seconded approval of Amendment No. 2 to the state of services and consulting services agreement with Oracle, formally known as PeopleSoft, executed by the County on August 10, 2004, under County Contract C-04-0387, for the implementation of PeopleSoft as the financial system for Lancaster County. Stevens, Schorr, Heier, Workman and Hudkins voted aye. Motion carried.

- I. Amendment No. 3 to the statement of services and consulting services agreement with Oracle, formally known as PeopleSoft, executed by the County on August 10, 2004 under County Contract C-04-0387, for the implementation of PeopleSoft as the financial system for Lancaster County. Amendment No. 3 sets forth an additional consultation resource, Project Manager, for the period February 4, 2005 through December 31, 2005, at an hourly rate of \$230. (C-05-252)**

**MOTION:** Workman moved and Heier seconded approval of Amendment No. 3 to the statement of services and consulting services agreement with Oracle, formally known as PeopleSoft, executed by the County on August 10, 2004 under County Contract C-04-0387, for the implementation of PeopleSoft as the financial system for Lancaster County.

In response to a question asked by Stevens, Terry Adams, Chief Deputy County Treasurer, stated the rates changed when Oracle took over PeopleSoft.

**ROLL CALL:** Schorr, Stevens, Heier, Workman and Hudkins voted aye. Motion carried.

- J. An amendment to an agreement between Folsom Children's Zoo and Botanical Gardens and Lancaster County, on behalf of Families First and Foremost, under County Contract C-05-0208, to rent the zoo on May 20, 2005 from 6 p.m. until 8 p.m. as part of May is Mental Health Month. The parties wish to amend the compensation section to include \$275 for cotton candy and \$400 for jugglers. (C-05-0253)**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Workman moved and Schorr seconded approval of an amendment to an agreement between Folsom Children's Zoo and Botanical Gardens and Lancaster County, on behalf of Families First and Foremost, under County Contract C-05-0208, to rent the zoo on May 20, 2005 from 6 p.m. until 8 p.m. as part of May is Mental Health Month. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

**K. An amendment to an agreement between Skate Zone and Lancaster County, on behalf of Families First and Foremost, under County Contract C-05-0225, to rent the skating rink on May 17, 2005 from 6 pm. to 9 p.m. as part of May is Mental Health Month. The parties wish to amend the compensation section to include a fee of \$2.25 per person for food and refreshments. (C-05-0254)**

**MOTION:** Workman moved and Schorr seconded approval of an amendment to an agreement between Skate Zone and Lancaster County, on behalf of Families First and Foremost, under County Contract C-05-0225, to rent the skating rink on May 17, 2005 from 6 pm. to 9 p.m. as part of May is Mental Health Month. Heier, workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

**L. Change Order No. 1 to a contract with Don McKinney, Inc. for construction of a metal building for use as the County Vehicle Storage Facility, adding 34 days to the contract period. (C-05-0263)**

**MOTION:** Heier moved and Schorr seconded approval of Change Order No. 1 to a contract with Don McKinney, Inc. for construction of a metal building for use as the County Vehicle Storage Facility, adding 34 days to the contract period. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

**M. An agreement with JT Associates for check scanner equipment, software licenses and related professional services for the County Treasurer's Office. The equipment will be used for check endorsement, retrieval and archive purposes and is compatible with the County's current records management software, TRIM. Installation and training will occur on May 25 and May 26, 2005. The County will pay up to \$25,000 for such services. (C-05-0264)**

5) **NEW BUSINESS CONTINUED:**

**MOTION:** Stevens moved and Workman seconded approval of an agreement with JT Associates for check scanner equipment, software licenses and related professional services for the County Treasurer's Office. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

**N. A software assurance and support agreement with Captovation for check capture software licenses to be utilized by the County Treasurer's Office in conjunction with the check scanner units. Term of the agreement is 15 months from the date of purchase of the software. The County will pay \$971.25 for the software licenses. Such costs are included in the agreement with JT Associates. (C-05-0265)**

**MOTION:** Heier moved and Stevens seconded approval of a software assurance and support agreement with Captovation for check capture software licenses to be utilized by the County Treasurer's Office in conjunction with the check scanner units. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

**O. An agreement with Lutheran Family Services for behavioral health services to high need youth who are wards of the State residing in Lancaster County. Term of the agreement is April 1, 2005 through June 30, 2005. The County will pay up to \$46,825.88 for the services. (C-05-0266)**

This item was held at the request of the County Attorney's Office.

**P. A sub-grant award agreement between Lancaster County Emergency Management and Nebraska Emergency Management Agency (NEMA) to provide funding for the Fiscal Year 2005 Homeland Security Grant Program. The total amount of the sub-grant award is \$348,692. The grant period is April 1, 2005 to May 31, 2007.**

**Q. A sub-grant award agreement between the Lancaster County Emergency Management Agency and Nebraska Emergency Management Agency (NEMA) to provide funding for the Fiscal Year 2005 Law Enforcement Terrorism Prevention Program. The total amount of the sub-grant award is \$700,216. The grant period is April 1, 2005 through March 31, 2007.**



5) **NEW BUSINESS CONTINUED:**

New Business Item 5P and 5Q were heard together.

Doug Ahlberg, Emergency Management Director, presented the sub-grant award agreements stating the two grants combined total \$1,048,908.

**MOTION:** Stevens moved and Schorr seconded approval of sub-grant award agreements between Lancaster County Emergency Management and Nebraska Emergency Management Agency (NEMA) to provide funding for the Fiscal Year 2005 Homeland Security Grant Program and the Fiscal Year 2005 Law Enforcement Terrorism Prevention Program. Stevens, Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

**R. Recommendation from the Purchasing Agent and the Lancaster County Corrections Department to award a bid as follows for kitchen equipment: (B-05-0019)**

- ▶ Buller Fixture Company, in the amount of \$11,295, for Item 1 (gas steam kettle)
- ▶ Hockenbergs, in the amount of \$15,870, for Item 2 (two double convection ovens)

**Total amount of the award is \$27,165.**

**MOTION:** Heier moved and Workman seconded to award a bid for kitchen equipment to Buller Fixture Company (Item 1: gas steam kettle) and Hockenbergs (Item 2: two double convection ovens), in the total amount of \$27,165, as recommended by the Purchasing Agent and the Lancaster County Corrections Department. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

**S. Recommendation from the Purchasing Agent and the County Treasurer to award a bid to Diamond Marketing Solutions for printing and mailing of tax statements. The estimated annual real estate mailing will cost approximately \$31,992.80. Costs for the monthly vehicle tax statements will vary based on the individual month's volume. (B-05-0020)**

**MOTION:** Workman moved and Stevens seconded to award a bid for printing and mailing of tax statements to Diamond Marketing Solutions as recommended by the Purchasing Agent and the County Treasurer. Schorr, Heier, Workman, Stevens and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

**T. Lancaster County Board of Commissioners Claims for Review policy.**  
This policy supercedes the Claims for Review policy approved February 10, 2004.

**MOTION:** Heier moved and Stevens seconded approval of the Lancaster County Board of Commissioners Claims for Review policy which supercedes the Claims for Review policy approved on February 10, 2004. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

**U. A one step pay increase for Judy Lewis-Cairns, Administrative Aide in the Sheriff's Office, due to exceptional circumstances.**

Terry Wagner, County Sheriff, stated Judy Cairns has been with the Sheriff's Office for ten years and transferred from another position within the office to the Administrative Aide position. Recommendation was to approve.

**MOTION:** Heier moved and Workman seconded approval of a one step pay increase for Judy Lewis-Cairns, Administrative Aide in the Sheriff's Office, due to exceptional circumstances. Heier, Stevens, Schorr, Workman and Hudkins voted aye. Motion carried.

**V. Appointment of Gary Hergenrader to the Lincoln-Lancaster County Ecological Advisory Committee to a three year term.**

**MOTION:** Schorr moved and Stevens seconded approval of the appointment of Gary Hergenrader to the Lincoln-Lancaster County Ecological Advisory Committee to a three year term. Workman, Schorr, Stevens, Heier and Hudkins voted aye. Motion carried.

6) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

1. County Assessor/Register of Deeds Monthly Report for April, 2005.
2. County Clerk's Monthly Report for April, 2005.
3. Clerk of the District Court's Monthly Report for April, 2005.
4. Lancaster Manor's Monthly Report.

6) CONSENT ITEMS CONTINUED:

5. A notice from Hartford Life Insurance Company regarding an amendment to an administrative services agreement for individual participant account services for the Hartford 457 Deferred Compensation Program for Lancaster County employees regarding the Frequent Trading Policy and Procedure.
- B. Setting of a public hearing for Tuesday, May 24, 2005 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding County Change of Zone 05027, requested by the Lancaster County Board of Commissioners, for a text amendment to the Lancaster County Zoning Resolution to include approved amusement license uses as an approved conditional use in the AG Agricultural District.
- C. Request from Tina L. McInroy, an employee with Lancaster Manor, to voluntarily participate in Lancaster County's retirement plan having met the requirements.
- D. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:
  - ▶ Loi Van and Patricia M.T. Vo, in the amount of \$50, north of West Saltillo Road on Southwest 40<sup>th</sup> Street; Project C.P.O-80. (C-05-0257)
  - ▶ Lawrence R. and Margaret Y. Benes, in the amount of \$356.50, north of West Little Salt Road on Northwest 27<sup>th</sup> Street; Project C.P.C.-160. (C-05-0258)
  - ▶ Kevin D. and Tammy Meinke on West Princeton Road, 2,166 feet west of Southwest 128<sup>th</sup> Street; Project C.P.V.-145. This is a donation. (C-05-0259)
  - ▶ Margaret Eggert on Southwest 42<sup>nd</sup> Street south of West Panama Road; Project C.P.W-266. This is a donation. (C-05-0260)
  - ▶ E. James Wood and Hoang K. Ho, in the total amount of \$4,135, at 2300 West Denton Road; Project STPE-3305(9). (2 contracts) (C-05-0261 and C-05-0262)

**MOTION:** Heier moved and Stevens seconded approval of the Consent Items. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

7) **ADJOURNMENT:**

**MOTION:** Schorr moved and Stevens seconded adjournment of the Board of Commissioners meeting at 2:10 p.m.. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
County Clerk

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, MAY 10, 2005  
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112  
FIRST FLOOR, COUNTY-CITY BUILDING  
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS  
MEETING**

Commissioners Present: Larry Hudkins, Chair  
Deb Schorr, Vice Chair  
Bernie Heier  
Ray Stevens  
Bob Workman

Others Present: Connie Ahlschwede, County Assessor/Register of Deeds Office  
Kerry Eagan, Chief Administrative Officer  
Trish Owen, Chief Deputy County Clerk  
Mike Thew, Deputy County Attorney  
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:10 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, May 3, 2005.

**MOTION:** Stevens moved and Workman seconded approval of the minutes of the Board of Equalization meeting dated May 3, 2005. Schorr, Stevens, Workman, Heier and Hudkins voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 51 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Schorr moved and Stevens seconded approval of the additions and deductions to the tax assessment rolls. Workman, Schorr, Heier, Stevens and Hudkins voted aye. Motion carried.

- 3) **APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:**

**First Church of the Nazarene  
Heartlands Church  
Rosemont Alliance Church**

**MOTION:** Stevens moved and Workman seconded approval of the motor vehicle tax exemptions. Heier, Workman, Stevens, Schorr and Hudkins voted aye. Motion carried.

4) **REMOVAL OF EXEMPTION STATUS FOR THE FOLLOWING:**

**Emerald Cemetery Association  
Christian Heritage Children's Home**

**MOTION:** Heier moved and Schorr seconded to approve the removal of the exemption status for Emerald Cemetery Association and Christian Heritage Children's Home. Workman, Stevens, Schorr, Heier and Hudkins voted aye. Motion carried.

5) **ADJOURNMENT:**

**MOTION:** Heier moved and Workman seconded adjournment of the Board of Equalization meeting at 2:17 p.m.. Stevens, Heier, Workman, Schorr and Hudkins voted aye. Motion carried.

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Bruce Medcalf  
County Clerk